

PATENT
ATTORNEY DOCKET: 46969-5457

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Akihiro TACHIBANA et al.) Confirmation No.: 5601
Application No.: 10/594,588) Group Art Unit: 2872
Filed: November 28, 2007) Examiner: Arnel C. Lavarias
For: HOLOGRAM REPRODUCTION)
APPARATUS AND HOLOGRAM)
REPRODUCTION METHOD)

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Alexandria, VA 22314

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this paper.

A European Search Report dated April 27, 2009 that issued in a European Patent Application and having documents cited therein is attached for the Examiner's consideration

Except as discussed below, the cited documents are listed on the attached PTO Form 1449 and a copy of the cited non-U.S. patent document is also attached hereto.

While the European Search Report dated April 27, 2009 additionally cites to WO 2004-013706, this document is not listed on the attached PTO Form 1449 because it was previously cited in an Information Disclosure Statement in this application on October 2, 2008.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents are material or constitute “prior art.” If it should be determined that any of the listed documents do not constitute “prior art” under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over any of the listed documents, should any of the documents be applied against the claims of the present application.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including

ATTORNEY DOCKET NO.: 46969-5457

Application No.: 10/594,588

Page 3

any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.13(a)(3).

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

By:



Paul A. Fournier
Registration No. 41,023

Dated: June 3, 2009

Customer No. 055694

DRINKER, BIDDLE & REATH LLP
1500 K Street, N.W., Suite 1100
Washington, D.C. 20005-1209
Tel: (202) 842-8800
Fax: (202) 842-8465